

**Notice of Allowability**

Application No.

10/052,849

Examiner

Kuen S. Lu

Applicant(s)

PISANI, ROBERT

Art Unit

2167

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 2/14/2006.
2. ☒ The allowed claim(s) is/are 23-33 and 35-44 (renumbered to 1-21).
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date 4/25/2006.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |   |
|---|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)                                   |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date <u>4/21/2004</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment   |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance                          |
|   | 9. <input type="checkbox"/> Other _____.  |

### **DETAILED ACTION**

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114.
2. After a thorough search and examination of the present application, and in light of the prior art made of record and Applicant's Amendments and Remarks filed February 14, 2006 and Examiner's Amendment of April 24, 2006, Claims 23-33 and 35-44 are allowed.

### ***Priority***

2. Applicant's claim for the benefit of a prior-filed application 60/242,889 filed 10/24/2000, under 35 U.S.C. 119(e) or under 35 U.S.C. 120, 121, or 365(c) is acknowledged.

### ***Examiner's Amendments***

3. An examiner's Amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee. Authorization for this Examiner's amendment, listed below, was given in a telephone interview with Ms. Rochelle Liberman (Reg. #: 39,276), on February 14, 2006. A copy of the interview summary is attached.

4. Please amend claims 23 and 34-39 filed February 13, 2006 as follow:

23. (Currently Amended) A computer implemented method for searching identifying data, comprising:

(a) compiling a master library of data from users of a network,

wherein said master library includes a collection of individual user libraries; and

(b) measuring proximity of a first library to a second library, including assigning a standard of proximity between a ranking of names in said first library to a ranking of names in said second library as  $(1/n)\sum \text{abs}(r_i - s_j)$ ,

where  $r$  is a ranking of names in said first library,  $s$  is a ranking of names in said second library,  $i$  is a coefficient for a current ranking of names in one of said libraries, and  $n$  is the quantity of names in said libraries,

wherein the step of measuring proximity includes comparing, a list of names within said libraries that are common within a predetermined factor; and

(c) compiling a list of common names within a collection of said libraries based upon said measured proximity factor.

34. (Canceled)

35. (Currently Amended) The method of claim 3423, further comprising forwarding data from said libraries to a list based upon a user defined proximity value.

36. (Currently Amended) The method of claim 3423, wherein said master library includes a collection of individual user libraries.

37. (Currently Amended) The method of claim 3423, wherein said user libraries are a collection of lists of said identifying data.

38. (Currently Amended) The method of claim 3423, wherein the step of measuring proximity includes comparing a list of names within said libraries that are common within a predetermined factor.

39. (Currently Amended) The method of claim 3423, further comprising the step of assigning a rank to a sub-library based upon a criterion.

5. The following changes to the drawings have been approved by the examiner and agreed upon by applicant: replacing Figs. 1-3 with formal drawings where all labels and identifying numbers are printed. In order to avoid abandonment of the application, applicant must make these above agreed upon drawing changes.

***Reason for Allowable***

6. In the Examiner's Office Action for non-Final Rejection of September 13, 2005, 35 U.S.C. 35 U.S.C. § 103, rejection was based on a primary reference Tsutsumi et al.: U.S. Patent 5,812,998, "SEARCHING OF SUB-STRUCTURED DATABASE", issued

September 22, 1998, hereafter "Tsutsumi", in view of Singhal: U.S. Patent 6,163,782, "EFFICIENT AND EFFECTIVE DISTRIBUTED INFORMATION MANAGEMENT", issued December 19, 2000 and further in view of McGee et al.: "SIGNIFICANT SCENE DETECTION AND FRAME FILTERING FOR A VISUAL INDEXING SYSTEM USING DYNAMIC THRESHHOLDS", hereafter "McGee".

In the Remarks filed on February 14, 2006, Applicant specifically pointed out that, based on the claims as amended February 14, 2006, none of the cited Tsutsumi, McGee and Singhal references, individually or in combination, teaches or suggests applying the mathematical formula  $(1/n)\sum \text{abs}(r_i - s_j)$  to assign a standard proximity between the ranking of names in the first and second libraries.

After further review of result for the searches conducted over the past, the claims most currently amended as of April 24, 2006, and further consideration of the above remarks, the Examiner is persuaded that the prior art made of record does not teach the above described claimed subject matter of applying the mathematical formula  $(1/n)\sum \text{abs}(r_i - s_j)$  for assigning a standard proximity between the ranking of names in the first and second libraries, as claimed in the independent claims 23 and 34 (currently cancelled).

An update search conducted as described below for the independent claim 23 as lastly amended on February 14, 2006 and further amended by an Examiner's

Amendment of April 24, 2006, the subject Application filed on October 23, 2001, is hereby considered and accepted.

A search on the prior art has been recently conducted on domains EAST, NPL-ACM, Google and NPL-IEEE in order to further extend and update the scope the searches conducted over the past on the same domains. The prior art searched and investigated on the domains EAST, NPL-ACM, Google and NPL-IEEE do not fairly teach or suggest the teaching of the subject matter as described above and claimed in the independent claim 23.

The dependent claims 24-33 and 35-44, depending on claim 23, also distinct from the prior art for the same reason.

7. Any comments considered necessary by Applicants must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance".

***Contact Information***

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kuen S Lu whose telephone number is (571) 272-4114. The examiner can normally be reached on Monday-Friday (8:00 am-5:00 pm). If attempts to reach the examiner by telephone pre unsuccessful, the examiner's Supervisor, John Cottingham can be reached on (571) 272-7079. The fax phone number for the organization where this application or proceeding is assigned is 571-

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273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for Page 13 published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 886-217-9197 (toll free).

Kuen S. Lu,

  
Patent Examiner,

April 25, 2006

  
GRETA ROBINSON  
PRIMARY EXAMINER